

REMARKS

Claims 1-7 and 9-13, as amended, remain herein. Claims 1, 2, 4, 6 and 12 have been amended. Claim 8 has been cancelled.

1. The disclosure was objected to as allegedly using the term “dipole” in a non-conventional manner. The specification has been amended to clarify that “dipole” refers to an electrical ignition means. This is supported in the specification. *See* Specification paras. 0023-0026, 0037. Applicants respectfully request withdrawal of the objection.

2. Claims 1-2, 4 and 12 were objected to as allegedly using the term “dipole” in a non-conventional manner. These claims have been amended, replacing “dipole” with “electrical ignition means” as described in the Specification (see above).

Claim 6 was objected to for a spelling error. The claim has been amended to moot same.

Claim 8 was objected to as a duplicate of claim 9. Claim 8 has been cancelled. Applicants respectfully request withdrawal of the objections.

3. Claims 1-7 and 9-13 were rejected under 35 USC 103(a) over Menier et al. U.S. Patent 5,493,264 in view of Howell U.S. Patent 4,168,514. Claims 1 and 4 were also separately rejected under 35 U.S.C. 103(a) over Menier et al. in view of Howell.

Menier describes a device that protects against current surges. *See* Menier, col. 2, lines 51-55 and col. 4, lines 36-40. It is connected to a switch with only two ohmic resistances, high when the switch is open and low when the switch is closed. *See* Menier, Figs. 2, 7; col. 1, lines 7-16 and col. 2, lines 38-40, 58-65. Further, the switch in Menier is tripped by external controls.

See Menier Fig. 2, col. 2, lines 62-65, col. 3, lines 1-5. Finally, the apparatus in Menier is connected in series with a load on an electric line. *See* Menier Fig. 2, col. 3, lines 6-14. Menier does not describe a device, that protects against voltage surges, connected in parallel between an electric line and a ground line, comprising an electrical ignition means, so that when a mobile electrode is in an operating position, the electrical ignition means is connected to an arc switching electrode on the one hand and to a first or second connecting pad on the other, and when the mobile electrode is in a switching position and an electric arc is drawn between the first connecting electrode and the second connecting electrode, the electrical ignition means is disconnected from the circuit, the electrical ignition means having an ohmic resistance varying inversely with the voltage applied to the electrical ignition means, as recited in applicants' claim 1.

Howell describes a varistor in parallel with a circuit breaker, the circuit breaker in series with an electrical line and load. *See* Howell Figs. 2-3, and 5. But Howell does not describe a device, that protects against voltage surges, connected in parallel between an electric line and a ground line, comprising an electrical ignition means, so that when a mobile electrode is in an operating position, the electrical ignition means is connected to an arc switching electrode on the one hand and to a first or second connecting pad on the other, and when the mobile electrode is in a switching position and an electric arc is drawn between the first connecting electrode and the second connecting electrode, the electrical ignition means is disconnected from the circuit, the electrical ignition means having an ohmic resistance varying inversely with the voltage applied to the electrical ignition means, as recited in applicants' claim 1.

Nor is there any disclosure or suggestion in either Menier or Howell which would have suggested that one of ordinary skill in the art combine their subject matter to render applicants' invention obvious. Since applicants' claim 1 is not obvious, and claims 2-7 and 9-13 depend from claim 1, these claims, too, are not obvious. Thus, reconsideration and withdrawal of these rejections are respectfully requested.

For all of the foregoing reasons, claims 1-7 and 9-13 are now fully in condition for allowance, which is respectfully requested. The PTO is hereby authorized to charge or credit any necessary fees to Deposit Account No. 19-4293. Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, he is invited to telephone applicants' undersigned representative.

Respectfully submitted,

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